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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,912	10/09/2003	Reuben Bibi	JOSEF 3.0-001	7688

7590 08/24/2004  
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EXAMINER

MENDIRATTA, VISHU K

ART UNIT	PAPER NUMBER
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3712

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/681,912

**Applicant(s)**

BIBI, REUBEN

**Examiner**

Vishu K Mendiratta

**Art Unit**

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1,4-5,9,10 rejected under 35 U.S.C. 103(a) as being unpatentable over Horovitz (577984)

Claims 1,4: Horovitz teaches a table (Fig.1) having a frame section (A), a centrally located opening (G), a table section (H), means for rotating (h), board G having a first and second playing surface as seen from Fig.3, the playing surfaces being different (checker on one side), It is clear from Figs. 1-3 that when the drawer is in the pulled-out condition as in Fig.2 the playing surface (H) can swivel and with the drawer pushed-in condition the playing surface can not swivel. This feature is inherently taught by Horovitz and being interpreted as a retaining mechanism. Horovitz further teaches storage compartment.

Horovitz teaches all limitations except that it does not teach drawers on both sides. In a game where two teams play opposite to each other, it is often seen that each team needs to store their game pieces separately. Because players sit on opposite sides of the game table, it would have been obvious to provide separate drawers for them for their convenience. Game tables having drawers is

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a common feature and would have been obvious to provide separate drawers for players on opposite sides for their convenience.

Claim 5: Horovitz teaches side compartment with hinge (d7).

Claim 9: Horovitz teaches playing multiple games (1:75-77).

Claim 10: Horovitz teaches commonly used table (1:15-20), inherently these tables are made of wood and plastics.

2. Claims 2-3,6 rejected under 35 U.S.C. 103(a) as being unpatentable over Horovitz (577984) in view of Wise (6113182).

Horovitz teaches all limitations except that it does not teach using a spring loaded retaining mechanism

Wise teaches a game table with spring loaded retaining mechanism (Fig.5-6).

Such pivoting/retaining mechanisms are known for a long time and used in game tables for rotating and restraining game surfaces in horizontal position. In order to achieve such configurations, it would have been obvious to use spring loaded pivoting/retaining mechanisms. One of ordinary skill in art at the time the invention was made would have suggested using spring loaded pivoting/retaining mechanisms for restraining game surfaces.

3. Claims 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Horovitz (577984) in view of Davis (3001843).

Horovitz teaches all limitations except that it does not teach folding legs. Davis teaches folding legs (44). Game users appreciate if they can save space while storing game tables. In the art area of board games it is a common practice to make game table and surfaces with folding features. In order to save space, it

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would have been obvious for one of ordinary skill in art to suggest making folding legs for a game table.

4. Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Horovitz (577984) in view of Schindler (139425).

Horovitz teaches all limitations except that it does not teach retaining/recessed wall. Schindler teaches (Fig.10) recessed wall to avoid pieces from falling off of the table. Such features are commonly known in the art area and would have been obvious to play games without interruptions of having to pick pieces from floor. There could be various reasons why retaining walls are made surrounding playing surfaces.

5. Claims 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Horovitz (577984) in view of official notice.

Horovitz teaches all limitations except that it does not teach certain material or size for a game table.

Well known in the art are tables made out of wood/plastics. It would have been obvious to use any material or size for a game table. Such features are well known and often not critical to playing a game.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishu K Mendiratta whose telephone number is (703) 306-5695. The examiner can normally be reached on Mon-Fri 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H Banks can be reached on (703) 308-1745. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vishu K. Mendiratta  
Primary Examiner  
Art Unit 3712

VKM  
August 20, 2004